

at Austin, Texas, plus a cash premium of \$4257.00 on 4-3/4% Bonds.

John Nuveen & Company for par and accrued interest from date of bonds to date of delivery at Austin, Texas, plus a cash premium of \$14,850.00 on 5% Bonds.

Thereupon, after due consideration of said bids by the City Council, Councilman Pannell moved that, it appearing that the bid of Eldridge & Company of New York, Guardian Trust Company of Houston, and Geo. L. Simpson & Company of Dallas, same being for the entire issue of One Million Dollars (\$1,000,000.00) of Bonds, dated January 1, 1931, and maturing January 1, 1932, to January 1, 1961, all bearing interest at the rate of 4-3/4% per annum, said bid being for par and accrued interest, plus a cash premium of \$4700.00, and said bid agreeing to pay the cost of printing bonds and attorneys' fee, was the highest and best bid submitted, same be accepted, and that said Eldridge & Company of New York, Guardian Trust Company of Houston, and Geo. L. Simpson & Company of Dallas be awarded the sale of said bonds. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Councilman Pannell moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Council then recessed.

Approved: *J. H. McFadden*
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, December 11, 1930.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meetings were read and Councilman Pannell moved the adoption of same as read. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in certain units or districts of improvement as follows:

EAST TWENTY-THIRD STREET OR MANOR ROAD from the East line of East Avenue to the City Limits, known and designated as Unit or District No. P-63;

TRINITY STREET from the North line of Sixth Street to the South line of Seventh Street, known and designated as Unit or District No. P-68;

NECHES STREET from the North line of Sixth Street to the South line of Seventh Street, known and designated as Unit or District No. P-89;

all as awarded to L. E. Whitham & Company

the Mayor thereupon stated that all persons desiring to protest against the levying of assessments on the abutting property on any of the above mentioned streets and within the limits above stated, or who desired to be heard with reference to the amounts proposed to be assessed against said property and the owners thereof, the lien and liability thereof, the special benefits to the property and the owners thereof, or any other matters or things authorized by the provisions of Article XXIV of the Charter of the City of Austin to be urged and considered at this hearing would not be heard from, and thereupon the following parties appeared and were heard:

On East Twenty-Third Street or Manor Road:

Mrs. Chas. Joe Moore, representing the LeSueur Estate, stated that they were financially unable to pay for the paving on this street;

N. G. Anderson stated that he was not financially able to pay for the paving, being without a job and still owing on his home, but that he was in favor of paving and would pave if all the other property owners would sign up.

Mrs. J. C. Sibley stated that she did not have a dollar to pay for the paving; that her income was so small that she had nothing to pay with.

On Trinity Street from Sixth to Seventh Streets:

Mrs. Scott Wear stated that she was opposed to the street being more than fifty feet in width, that it would never be a business street, that she had been taxed heavily for paving on Seventh Street and could not afford to pay for more than a fifty foot street.

A petition signed by William McAngus, McAngus Brothers, Mrs. R. W. Shipp, Miss May Robinson, Carl M. Mayer, Miss Emily Mayer, Joe Levi, and Mrs. Scott Wear, property owners, asking that the street be paved to a width of not more than fifty feet instead of sixty feet, was read.

Councilman Steck moved that the paving width of Trinity Street from the north line of Sixth Street to the south line of Seventh Street be made fifty-six feet instead of sixty feet. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Pannell moved that the paving width of Neches Street from the north line of Sixth Street to the south line of Seventh Street be reduced from sixty feet to fifty-six feet. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

No other property owners or interested parties desiring to be heard, the Mayor thereupon introduced the following ordinance:

ORDINANCE OF THE CITY OF
AUSTIN, TEXAS, CLOSING A
HEARING GIVEN TO PROPERTY
OWNERS ON TWENTY-THIRD
STREET AND SUNDRY OTHER
STREETS, IN THE CITY OF
AUSTIN, AND DECLARING AN
EMERGENCY.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none;

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE OF THE CITY OF AUSTIN, TEXAS, LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING EAST TWENTY-THIRD STREET OR MANOR ROAD IN THE CITY OF AUSTIN AND FIXING A LIEN AGAINST PROPERTY ABUTTING ON SAID STREET AND A PERSONAL CHARGE AGAINST THE OWNERS THEREOF, AND PROVIDING FOR THE COLLECTION THEREOF, AND DECLARING AN EMERGENCY.

The above ordinance was read the first time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Mueller moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A committee from the Library Commission appeared before the Council and asked for an appropriation of Five Thousand Dollars (\$5,000.00) in the City's budget for the year 1931 for the support of the Public Library. The Council took the matter under advisement.

Mrs. H. O. Koch appeared before the Council and asked that she be given another hearing on the zoning of her property at Twenty-ninth and Rio Grande Streets and presented a written application for permission to erect a gasoline filling station at the southwest corner of said property. After a discussion of the matter, Councilman Reed moved that conditioned upon the withdrawal by R. A. Spears of his application to erect a gasoline filling station and garage at the southeast corner of Twenty-ninth and Rio Grande Streets and to erect thereon a gasoline filling station only, Mrs. Koch be given another hearing on the zoning of her property. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none; Councilman Mueller absent.

A written request from W. E. Williams, asking that he be given a rehearing on the zoning of his property at Twenty-fourth and Rio Grande Streets was read and Councilman Reed moved same be granted. Motion was seconded by Councilman Pannell and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell,

Reed and Steck, 4; nays, none; Councilman Mueller absent.

Councilman Reed was excused from the Council Chamber.

Councilman Mueller reentered the Council Chamber.

The Mayor laid before the Council the following resolution:

WHEREAS, the City Council of the City of Austin heretofore proposed to receive bids until ten o'clock A. M. on the 10th day of December, 1930, for the purchase of One Million (\$1,000,000.00) Dollars of bonds of the City of Austin, dated January 1, 1931, being the following issues:

Street Improvement Bonds - - - - - \$700,000.00

Sanitary Sewer Bonds - - - - - 100,000.00

Parks & Playgrounds Bonds - - - - - 200,000.00; and

WHEREAS, proper advertisement was published thereof; and thereupon the following bids, being all the bids received up to and at said time, were opened and read, as follows:

Bid of Eldridge & Co. of New York; Guardian Trust Co. of Houston, Texas; Geo. L. Simpson & Co. of Dallas, Texas; by Geo. L. Simpson; and Security Trust Co. of Austin, Texas, by E. P. Gravens, Vice President; bearing interest rate of 4-3/4 per cent, par and accrued interest from date of bonds until date of delivery at Austin, Texas, plus a cash premium of Four Thousand Seven Hundred (\$4,700.00) Dollars.

Bid of Halsey, Stuart & Co.; A. B. Leach & Co., Stifel, Nicolaus & Co., and Dallas Bank & Trust Co., by J. G. Moss; bearing interest rate of 5 per cent, par and accrued interest from date of bonds to date of delivery at Austin, Texas, plus a cash premium of Thirteen Thousand One Hundred (\$13,100.00) Dollars.

Bid of Fidelity National Company of Kansas City; Stern Bros. of Kansas City; Mercantile Securities Corporation of Dallas; and Southwest Investment Company of Austin, Texas, by J. T. Bowman; bearing interest rate of 4-3/4 percent, par and accrued interest from date of bonds to date of delivery at Austin, Texas, plus a cash premium of Four Thousand Two Hundred and Fifty-seven (\$4,257.00) Dollars;

Bid of John Nuveen and Co., by Theo M. Kerkhoff, Agent; bearing interest rate of 5 percent, par and accrued interest from date of bonds to date of delivery at Austin, Texas, plus a cash premium of Fourteen Thousand Eight Hundred and Fifty (\$14,850.00) Dollars; and

WHEREAS, after due consideration of said bids by the City Council, it appears that the bid of Eldridge & Co. of New York, Guardian Trust Co. of Houston, Geo. L. Simpson & Co. of Dallas, by Geo. L. Simpson, and Security Trust Co. of Austin, Texas, by E. P. Gravens, Vice President, as above set out, is the highest and best bid submitted, said bid being in terms and figures, as follows:

"HONORABLE MAYOR AND CITY COUNCIL,

AUSTIN, TEXAS.

Gentlemen:

For One Million Dollars (\$1,000,000.00) legally issued, City of Austin, Texas, coupon bonds, dated January 1, 1931, of the denomination of One Thousand Dollars (\$1,000.00) each, interest payable semi-annually, on the first day of January and July, the first interest coupon becoming due July 1, 1931, comprising the issues and maturing serially in accordance with the schedule attached hereto, we will pay the following price:

For Bonds bearing an interest rate of 4-3/4%, par and accrued interest from date of Bonds to date of delivery at Austin, Texas, plus a cash premium of \$4700.00.

We agree to purchase the Bonds upon the approving opinion of Thomson, Wood and Hoffman, New York, and to pay for the opinion.

We agree to pay the cost of printing the Bonds.

We agree that delivery of Bonds will be made to us at Austin, Texas.

As evidence of our good faith, we are attaching hereto cashier's or certified check in the sum of Twenty- Thousand Dollars (\$20,000.00), said check to be held uncashed pending delivery of the Bonds to us in accordance with this bid.

Should we fail to comply with the terms of this bid within fifteen days from date of delivery of approving opinion to us by Messrs. Thomson, Wood and Hoffman, the above mentioned check may be cashed and proceeds used as full and complete liquidated damages by the City of Austin.

(Signed) ELDRIDGE & CO., NEW YORK.

GUARDIAN TRUST CO. , HOUSTON.

GEO. L. SIMPSON & CO., DALLAS,
By G. L. Simpson.

SECURITY TRUST CO., AUSTIN, TEXAS,
By E. P. Cravens, V. Pres't,
Bidder.

(See following page for Schedule of Maturities attached to said bid)

CITY OF AUSTIN, TEXAS, BONDS

SCHEDULE OF MATURITIES

DATES	STREET IMPROVEMENT		SANITARY SEWER		PARKS AND PLAYGROUNDS		TOTAL
Maturities	Numbers	Amount	Numbers	Amount	Numbers	Amount	Maturities
January 1, 1932	1 - 11 inc.	\$ 11,000	1 - 2 inc.	\$ 2,000	1 - 3 inc.	\$ 3,000	\$ 16,000
January 1, 1933	12 - 23 inc.	12,000	3 - 4 inc.	2,000	4 - 6 inc.	3,000	17,000
January 1, 1934	24 - 35 inc.	12,000	5 - 6 inc.	2,000	7 - 9 inc.	3,000	17,000
January 1, 1935	36 - 48 inc.	13,000	7 - 8 inc.	2,000	10 - 13 inc.	4,000	19,000
January 1, 1936	49 - 61 inc.	13,000	9 - 10 inc.	2,000	14 - 17 inc.	4,000	19,000
January 1, 1937	62 - 75 inc.	14,000	11 - 12 inc.	2,000	18 - 21 inc.	4,000	20,000
January 1, 1938	76 - 90 inc.	15,000	13 - 14 inc.	2,000	22 - 25 inc.	4,000	21,000
January 1, 1939	91 - 105 inc.	15,000	15 - 16 inc.	2,000	26 - 29 inc.	4,000	21,000
January 1, 1940	106 - 121 inc.	16,000	17 - 18 inc.	2,000	30 - 34 inc.	5,000	23,000
January 1, 1941	122 - 138 inc.	17,000	19 - 20 inc.	2,000	35 - 39 inc.	5,000	24,000
January 1, 1942	139 - 155 inc.	17,000	21 - 22 inc.	2,000	40 - 44 inc.	5,000	24,000
January 1, 1943	156 - 173 inc.	18,000	23 - 25 inc.	3,000	45 - 49 inc.	5,000	26,000
January 1, 1944	174 - 192 inc.	19,000	26 - 28 inc.	3,000	50 - 54 inc.	5,000	27,000
January 1, 1945	193 - 212 inc.	20,000	29 - 31 inc.	3,000	55 - 60 inc.	6,000	29,000
January 1, 1946	213 - 233 inc.	21,000	32 - 34 inc.	3,000	61 - 66 inc.	6,000	30,000
January 1, 1947	234 - 255 inc.	22,000	35 - 37 inc.	3,000	67 - 72 inc.	6,000	31,000
January 1, 1948	256 - 278 inc.	23,000	38 - 40 inc.	3,000	73 - 79 inc.	7,000	33,000
January 1, 1949	279 - 302 inc.	24,000	41 - 43 inc.	3,000	80 - 86 inc.	7,000	34,000
January 1, 1950	303 - 327 inc.	25,000	44 - 47 inc.	4,000	87 - 93 inc.	7,000	36,000
January 1, 1951	328 - 354 inc.	27,000	48 - 51 inc.	4,000	94 - 101 inc.	8,000	39,000
January 1, 1952	355 - 382 inc.	28,000	52 - 55 inc.	4,000	102 - 109 inc.	8,000	40,000
January 1, 1953	383 - 411 inc.	29,000	56 - 59 inc.	4,000	110 - 117 inc.	8,000	41,000
January 1, 1954	412 - 442 inc.	31,000	60 - 63 inc.	4,000	118 - 126 inc.	9,000	44,000
January 1, 1955	443 - 474 inc.	32,000	64 - 68 inc.	5,000	127 - 135 inc.	9,000	46,000
January 1, 1956	475 - 507 inc.	33,000	69 - 73 inc.	5,000	136 - 145 inc.	10,000	48,000
January 1, 1957	508 - 542 inc.	35,000	74 - 78 inc.	5,000	146 - 155 inc.	10,000	50,000
January 1, 1958	543 - 579 inc.	37,000	79 - 83 inc.	5,000	156 - 165 inc.	10,000	52,000
January 1, 1959	580 - 618 inc.	39,000	84 - 88 inc.	5,000	166 - 176 inc.	11,000	55,000
January 1, 1960	619 - 658 inc.	40,000	89 - 94 inc.	6,000	177 - 188 inc.	12,000	58,000
January 1, 1961	659 - 700 inc.	42,000	95 - 100 inc.	6,000	189 - 200 inc.	12,000	60,000
		<u>\$700,000</u>		<u>\$100,000</u>		<u>\$200,000</u>	<u>\$1,000,000</u>

It is therefore

RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the bid of Eldridge & Co., New York, Guardian Trust Co., Houston, Geo.L. Simpson & Co., Dallas, by G. L. Simpson, and Securities Trust Co., Austin, Texas, by E. P. Cravens, Vice President, as above set out, be and the same is hereby accepted, and that the sale of said bonds be awarded to said parties, in accordance with the terms of said bid.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AUTHORIZING
THE ISSUANCE OF THE STREET
IMPROVEMENT BONDS OF THE
CITY OF AUSTIN, TEXAS, TO
THE AMOUNT OF SEVEN HUN-
DRED THOUSAND (\$700,000.00)
DOLLARS, AND PROVIDING FOR
THE PAYMENT THEREOF.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AUTHORIZING
THE ISSUANCE OF THE SANI-
TARY SEWER BONDS OF THE
CITY OF AUSTIN, TEXAS, TO
THE AMOUNT OF ONE HUNDRED
THOUSAND (\$100,000.00)
DOLLARS, AND PROVIDING FOR
THE PAYMENT THEREOF.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AUTHORIZING THE
ISSUANCE OF THE PARKS AND
PLAYGROUNDS BONDS OF THE CITY
OF AUSTIN, TEXAS, TO THE AMOUNT
OF TWO HUNDRED THOUSAND (\$200,000.00)
DOLLARS, AND PROVIDING FOR THE
PAYMENT THEREOF.

The above ordinance was read the first time and Councilman Pannell moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none, Councilman Reed absent.

The ordinance was read the second time and Councilman Pannell moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The ordinance was read the third time and Councilman Pannell moved that same be finally passed. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

The matter of opening Leona Street between Twelfth and Thirteenth Streets came up for consideration. Councilman Pannell moved that said street be not opened at this time. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, and Steck, 4; nays, none; Councilman Reed absent.

Councilman Mueller was excused from the Council Chamber.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to purchase in the name of the City of Austin from W. T. Caswell, for the consideration of Two Thousand (\$2,000.00) Dollars, all that certain tract or parcel of land in Travis County, Texas, and being a part of Outlot 10, Division "2" of the City of Austin, said land described by metes and bounds, as follows:

Beginning at a stake in the center of Shoal Creek on the Southeast line of the George W. Spear League, said stake being the N. W. corner of Outlot #10, Division "2", City of Austin; thence down the center of Shoal Creek S. 1941' East 224.1 feet to an iron stake; thence down the center of Shoal Creek S. 2053' E. 380.0 feet to an iron stake in the line of an old fence; thence S. 55°22' W. 198.7 feet with the said old fence line to an iron stake at the base of the rock bluff now exposed; thence with the meanders of the bluff as follows: N. 53°59' W. 58.8 feet to an iron stake; N. 23°05' W. 51.7 feet to an iron stake; N. 32°20' W. 159.6 feet to an iron stake; N. 32°20' W. 159.6 feet to an iron stake; N. 23°04' W. 106.7 feet to an iron stake in the S. E. line of the George W. Spear League; thence with the Spear League line N. 30° 00' E. at 183.2 feet pass the original most easterly corner of the J. W. Harris tract, in all 433.2 feet to the place of the beginning, containing 2.407 acres of land; same being the land conveyed to Charles W. Stewart by deed recorded in Travis County Deed Records, Book 371, Pages 167-168, and another deed recorded in Book 256, pages 454-455 of the Travis County Deed Records, to which deeds and their record reference is hereby made for all pertinent purposes,

said transaction to be made provided that good title is shown, upon examination by the City Attorney.

It is understood that the above described property is purchased from W.T. Caswell, who is now holding title to said property in his name, for the use and

benefit of the heirs of Charles W. Stewart, deceased, and that while the consideration therefor will be paid by warrant to said W. T. Caswell, as a matter of fact the proceeds will be paid by said Caswell to said heirs.

BE IT FURTHER RESOLVED:

That the sum of Two Thousand (\$2,000.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund to pay for said property, and that a warrant issue therefor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to purchase, in the name of the City of Austin, from Robert Alexander, for the consideration of Forty (\$40.00) Dollars, .08 of an acre of land in Block 4, Outlot 43, Division "D", City of Austin, in Travis County, Texas, beginning at the intersection of the North line of West 25th Street with the East bank of Shoal Creek; thence N. 42°30' E. 31 feet, more or less, for corner; thence S. 87°E. 96 feet for corner; thence S. 69°30' E. 93 feet for corner in the North line of West 25th Street; and thence S. 86°47' W. 208 feet, more or less, along the North line of said West 25th Street, to the place of beginning; said transaction to be made, provided that good title is shown upon examination by the City Attorney.

BE IT FURTHER RESOLVED:

That the sum of Forty (\$40.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund to pay for said property, and that a warrant issue therefor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to purchase, in the name of the City of Austin, from Henry Solomon, for the consideration of Five Hundred (\$500.00) Dollars, Lot 10, Block 3, Outlot 43, Division "D", in the City of Austin, Travis County, Texas, said transaction to be made provided that good title is shown upon examination by the City Attorney;

BE IT FURTHER RESOLVED:

That the sum of Five Hundred (\$500.00) Dollars be and the same is hereby appropriated out of the Parks and Playgrounds Bond Fund to pay for said property, and that a warrant issue therefor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, a street south of and adjacent to Blocks 3 and 4 of Boulevard Heights, a subdivision of the 10 acre block No. 16 of the David Adam 316 acres, a part of the George W. Spear Survey, City of Austin, Travis County, Texas, has never been named; and

WHEREAS, great confusion among the public in general and especially among those who keep city records, caused by any public thoroughfare being unnamed, exists; and

WHEREAS, the City Engineer has studied the situation and has proposed a name for said street, and said proposal has been studied by the City Council; therefore,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the street south of and adjacent to Blocks 3 and 4 of Boulevard Heights, a subdivision of the 10 acre Block 16 of the David Adam 316 acres, a part of the George W. Spear Survey, City of Austin, Travis County, Texas, which street extends east and west each way from Center Street a distance of approximately 425 feet, be known hereafter as West Eighth Street.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of Austin has recommended that additional work be done at West Austin Playgrounds as follows:

Additional grading and sodding - - - - -	\$148.50
Concrete work around wading pool - - - - -	195.10
Pipe for installing apparatus - - - - -	60.00
Concrete walks - - - - -	<u>420.00</u>
Total - - - - -	\$823.60

WHEREAS, the recommendation of the Park Board has been reviewed and approved by the City Council, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of \$823.60 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of making the above enumerated improvements at West Austin Playground.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, the Park Board of the City of Austin has previously recommended the installation of sanitary sewers in East Avenue, Hyde Park, and South Austin Playgrounds, and the work has been completed and the cost has been found to be \$69.26 in excess of the amount set aside for said work; and

WHEREAS, the Park Board of the City of Austin has recommended that the City Council appropriate said additional sum for said purpose; and

WHEREAS, the recommendation of the Park Board has been reviewed and approved by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of \$69.26 is hereby appropriated out of the Parks and Playgrounds Bond Fund for the purpose of constructing sanitary sewers in East Avenue, Hyde Park, and South Austin Playgrounds.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4 inch low pressure gas main in East Second Street from San Saba Street east-
erly to the City Limits, the center line of which gas main shall be 19 feet south of
and parallel to the north line of said East Second Street. Said gas main described
above shall have a cover of not less than 2 feet.

(2) A 4 inch low pressure gas main in West Thirty-First Street, from Guadalupe Street
to King Street, the center line of which gas main shall be 28 feet north of and par-
allel to the south line of said West Thirty-First Street. Said gas main described
above shall have a cover of not less than 2 feet.

(3) A gas main in East 19 $\frac{1}{2}$ Street from Red River Street to Oldham Street, the center
line of which gas main shall be 7 feet north of and parallel to the center line of
said East 19th and One-half Street. Said gas main described above to have a cover
of not less than 2 feet.

(4) A gas main in East 20th Street from Red River Street to Sabine Street, the cen-
ter line of which gas main shall be 6 feet north of and parallel to the center line
of said East 20th Street. Said gas main described above shall have a cover of not
less than 2 feet.

(5) A gas main in East 21st Street from Red River Street to Sabine Street, the cen-
ter line of which gas main shall be 6 feet north of and parallel to the center line
of said East 21st Street. Said gas main described above shall have a cover of not
less than 2 feet.

(6) A gas main in Wilson Street, beginning at a point 25 feet north of and 36 feet
west of the intersection of the east line of Wilson Street and the south line of
West Live Oak Street;

Thence in a southerly direction 36 feet west of and parallel to the east line
of said Wilson Street, a distance of approximately 250 feet to the end of said street.

The Texas Public Service Company is hereby put upon notice that the City of
Austin does not guarantee that the space assigned above is clear from other under-
ground utilities, but is based upon the best records we have at hand, and that the
minimum depth stated does not have any reference to the fact that greater depths may
be required at special points. When the Texas Public Service Company requires defi-
nite information upon the ground as to elevations or working points from which to
base the location of their assignments they shall apply to the City Engineering De-
partment not less than three (3) days before such information is required. The
Texas Public Service Company is further put upon notice that they will be required
to bear the expense of repairs or replacement of any underground utility damaged
during the construction of lines named in this resolution; and

That whenever pavement is out in the vicinity of a fire plug, water must be
used at intervals during the course of backfilling of the ditches; and

That the work and laying of said gas mains, including the excavation in the
streets and the restoration and maintenance of said streets after said mains have
been laid, shall be under the supervision and direction of the City Manager, and
under all the pertinent terms and conditions of the certain franchise granted to
said company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden,
Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager is hereby authorized to grant Frank Barron, Contractor,
a permit to use that portion of Congress Avenue which is opposite Lot 2, Block 98,

Original City of Austin, for the purpose of the storage of materials and for building operations in connection with the work of remodeling a building for Philip Bosche in accordance with the conditions and descriptions shown on the attached permit form.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, Philip Bosche has presented to the City Council a request for the installation of a 24" x 24" catch basin with C. I. frame and cover and a 6 inch C. I. sewer line in the alley lying between Congress Avenue and Colorado Street at the rear of Lot 2, Block 98, Original City; and

WHEREAS, said request has been reviewed by the City Council; therefore,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Philip Bosche be permitted to lay and construct a 24" x 24" catch basin with C. I. frame and cover, and a 6 inch C. I. sewer in the alley between Congress Avenue and Colorado Street at the rear of Lot 2, Block 98, Original City of Austin according to the following center line description;

Beginning at a point on the east line of said alley which lies between Congress Avenue and Colorado Street, which line is the west line of Lot 2, Block 98, Original City of Austin, Travis County, Texas, and from which point of beginning the southwest corner of said Lot 2 bears S. 19° W. 24 feet;

Thence N. 71° W. 24 inches with the north line of said catch basin to point;

Thence S. 19° W. 24 inches with the west line of said catch basin to point;

Thence S. 71° E. 24 inches with south line of said catch basin to point on east line of alley and west line of said Lot 2, Block 98, Original City;

Thence S. 19° W. 26 feet following the west line of said Lot 2 and east line of said 6 inch C. I. sewer to point of termination and from which point of termination said southwest corner of said Lot 2 bears N. 19° E. 2 feet.

Be it understood that Philip Bosche shall bear the expense of replacing all damaged paving with concrete pavement in said alley whether caused by construction of said 6 inch C. I. sewer, or of said vault, or during the course of operation of the building.

Be it further understood that said 6 inch C. I. sewer shall have a minimum cover of at least 3 feet beneath the present alley surface.

Philip Bosche is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points.

When Philip Bosche requires definite information upon the ground as to elevation or working points from which to base the location of his assignment, he shall apply to the City Engineering Department not less than three (3) days before such information is required.

The work or laying and construction of said utilities shall be under the supervision and direction of the City Manager.

The foregoing resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Philip Bosche be and he is hereby permitted to erect and construct a vault partly in the alley situated between Congress Avenue and Colorado Street and Eighth and Ninth Streets in the City of Austin as follows:

Beginning at a point on the East line of the alley, which is 76.7 feet North, 19 degrees East from the Southwest corner of Lot 1, Original City Block 98; thence North 71 degrees West 4.5 feet; thence North 19 degrees East 6 feet; thence South 71 degrees East 4.5 feet to the East line of said alley; and thence with the East line of said alley South 19 degrees West 6.0 feet to the place of beginning;

all upon the following terms and conditions:

That the topmost portion of said vault shall be not less than 4 feet 6 inches below the top surface of the lowest portion of the concrete alley over said vault and that said vault shall be removed, at the expense of the owner, and upon demand of the City after reasonable notice, at any time the City of Austin may need any of said space for any of its own utilities, or for any utility which has the right to use the City's streets and alleys by virtue of its franchise, or whenever the City may deem such removal necessary for any public purpose; and that upon such removal the owner shall be obligated to restore the foundation of the alley to the same condition as that which existed at the time of the granting of this privilege, and also the surface of said alley to the condition that will exist at the time such removal is made.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The application of M. H. Crockett for permit to construct a gasoline filling station at the southwest corner of East Eleventh and Red River Streets, was read.

The Mayor then laid before the Council the following:

"Austin, Texas, December 11, 1930.

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have considered the application of M. H. Crockett for a permit to construct and operate a gasoline filling station at the southwest corner of East 11th and Red River Streets.

We, the Safety Committee, recommend that said permit be granted subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.

(2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.

(3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State regulations governing such installations. All equipment to be inspected and approved before being placed in service.

(4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. That the pumps shall be at least ten (10) feet inside the property line and that no buildings, pumps or

equipment shall be less than thirty (30) feet from adjoining residences. That the length of all water hose shall be such that any water leaking from same can not reach the City sidewalk area and that the length of all gasoline hose shall be such that a car desiring service can not be served while any portion of said car is on the City sidewalk area.

(5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

(6) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

(7) That there shall be kept in an accessible place at all times a chemical fire extinguisher for emergency purposes.

(8) That the grades of the station shall be such that no waste oils or water or any floor washing shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-48, and shall be conducted by a pipe connection from said sand trap to the nearest City storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any city street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(9) That all adjacent walks, ramps, gutters and curbs shall be constructed of concrete before the station is used.

(10) That the applicant shall construct all ramps, gutters, walks and curbs in accordance with plan No. 2-H-135, which plan is hereby made a part of this resolution.

(11) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to the Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(13) That before using said station the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

CITY SAFETY COMMITTEE.

(Sgd) J. E. Woody, Fire Chief;

R.F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain;

L. A. Palmer, City Plumbing Inspector.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in stations or gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that M. H. Crockett has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent.

The application of E. A. Alley for permit to install an underground gasoline tank and pump at 39 Canadian Street was read.

The Mayor then laid before the Council the following:

"Austin, Texas, December 9, 1930

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have considered the application of E. A. Alley, lessee of the State of Texas of property located at 39 Canadian Street known as a part of Sand Beach Reserve, for a permit to install an underground gasoline storage tank and pump.

The Council is hereby informed that the proposed equipment will be located and operated on the Sand Beach Reserve not close to any other improvements.

We, the Safety Committee, recommend that said permit be granted, subject to the following conditions:

- (1) That all buildings and equipment shall be placed inside of the property line at least ten (10) feet distant from any street line.
- (2) That if any building is constructed in connection with the filling station equipment that the ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.
- (3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment to be installed in compliance with City and State Regulations governing such installations. All equipment to be inspected and approved before being placed in service.
- (4) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.
- (5) That there shall be kept in an accessible place at all times a chemical fire extinguisher for emergency purposes.
- (6) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to the Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.
- (7) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

CITY SAFETY COMMITTEE.

(Sgd) J. E. Woody, Fire Chief;
R. F. Rockwood, Fire Marshal;
Orin E. Metcalfe, City Engineer;
Tom Neal, Traffic Police Captain;
L. A. Palmer, City Plumbing Inspector.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That permission shall be granted E. A. Alley, lessee of the State of Texas property located at 39 Canadian Street known as a part of Sand Beach Reserve, to install an underground gasoline storage tank, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that E. A. Alley

has failed and refused and will continue to fail and refuse to perform any such conditions , regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

A petition signed by a number of property owners protesting against the erection and operation of a gasoline filling station at 4201 Guadalupe Street was read and ordered filed.

The Mayor laid before the Council the following:

"Austin, Texas, December 11,

Mr. Adam R. Johnson,
City Manager,
Austin, Texas.

Dear Sir:

We, the members of the Safety Committee of the City of Austin, have considered the application of H. W. Nunnelee for a permit to construct and operate a gasoline filling station and garage at the northeast corner of 42nd and Guadalupe Streets , to be located at 4201 Guadalupe Street.

We, the Safety Committee, recommend that said permit be granted subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.

(2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.

(3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters. All equipment shall be installed in compliance with City and State Regulations governing such installations. All equipment shall be inspected and approved before being placed in service.

(4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. That the pumps shall be at least ten (10) feet inside the property line and that no buildings, pumps or equipment shall be less than thirty (30) feet from adjoining residences. That the length of all water hose shall be such that any water leaking from same can not reach the City sidewalk area and that the length of all gasoline hose shall be such that a car desiring service can not be served while any portion of said car is on the City sidewalk area.

(5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

(6) That "NO SMOKING" signs shall be displayed at all times and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

(7) That there shall be kept in an accessible place at all times a chemical fire extinguisher for emergency purposes.

(8) That the grades of the station shall be such that no waste oils or water or any floor washing shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-48, and shall be conducted by a pipe connection from said sand trap to the nearest City storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any city street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director. The applicant is hereby put upon notice that the nearest City storm sewer is at the northwest corner of 42nd Street and Avenue "A".

(9) That all adjacent walks, ramps, gutters and curbs opposite the proposed filling station and garage improvements on 42nd Street, and all walks and ramps adjacent to the property on Guadalupe Street shall be constructed of concrete before the station is used.

(10) That the applicant shall construct all ramps, gutters, walks and curbs in accordance with plan No. 2-H-134, which plan is hereby made a part of this resolution.

(11) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to the Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(12) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the Inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(13) That before using said station the owner shall apply to the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

CITY SAFETY COMMITTEE

(Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain;

L. A. Palmer, City Plumbing Inspector.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That permission shall be granted, subject to the foregoing conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in stations or gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that H. W. Nunnelee has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Pannell and Steck, 3; nays, none; Councilmen Mueller and Reed absent, 2.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in Manor Road from the west line of Leona Street easterly approximately six blocks to the City Limits, the center line of which gas main shall be 3 feet north of and parallel to the center line of said Manor Road.

Be it understood that right angle bends shall be used in changing assignments at west line of Leona Street, and that at all points said gas main shall pass underneath all existing utilities and sanitary sewer house connections, and that at Salina Street intersection said gas main shall have a minimum cover of four (4) feet beneath the proposed paving grade.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may